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Express Mail No.: EL 451 596 336 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hal A. Lewis

Serial No.: 09/729,838

Group Art Unit: 1641

Filed: December 4, 2000

Examiner: To be assigned

For: CRYSTALS AND STRUCTURES
OF LUXS

Attorney Docket No.: 10342-012-999

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

BOX: Missing Parts

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the "Notice to File Missing Parts Of Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on February 2, 2001, Applicants submit the following documents to complete the filing for the above-identified application:

1. An executed Declaration for Non-Provisional Patent Application;
2. An executed Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 CFR 3.71;
3. An executed "Verified Statement (Declaration) Claiming Small Entity Status" in compliance with 37 C.F.R. 1.9(f) and 1.27(c); and
4. A return copy of Notice to File Missing Parts of Application - Filing Date Granted.

Applicants also submit herewith the following documents for the above-identified application:

5. A Sole Assignment executed by the inventor and Recordation Form Cover Sheet.



The U.S. Patent and Trademark Office is hereby authorized to charge the following

fees to Pennie & Edmonds LLP Deposit Account No. 16-1150:

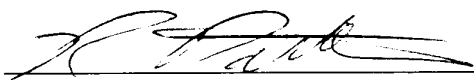
- | | |
|---|------------------------|
| 1. The statutory basic filing fee
(small entity - Verified Statement enclosed) | \$ 355.00 |
| 2. Extra fee for 54 dependent claims
(small entity - Verified Statement enclosed) | \$ 486.00 |
| 3. Extra fee for 2 independent claims
(small entity - Verified Statement enclosed) | \$ 80.00 |
| 4. Extra fee for multiple dependent claims
(small entity - Verified Statement enclosed) | \$ 135.00 |
| 5. Surcharge Fee for filing declaration
on a date later than the filing date
of the application per 37 CFR 1.492(e)
(small entity) | <u>\$ 65.00</u> |
| TOTAL | \$1,121.00 |

The Commissioner is hereby authorized to charge any additional fees associated with this paper communication or credit any overpayment to Deposit Account No. 16-1150.

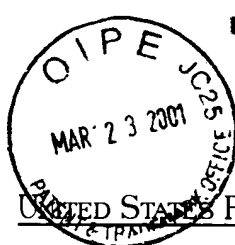
The documents submitted complete the filing of the above-identified patent application and justify the filing date of December 4, 2000. This form is being submitted in duplicate.

Respectfully submitted,

Date: March 23, 2001


Rahul Pathak 42,983
(Reg. No.)

For: Laura A. Coruzzi (Reg. No. 30,742)
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/729,838 ✓	12/04/2000 ✓	Hal A. Lewis ✓	10342-012-999

CONFIRMATION NO. 9298

FORMALITIES LETTER



OC000000005709822

24341
Pennie & Edmonds, LLP
3300 Hillview Avenue
Palo Alto, CA 94304

FEE 01/2001
+ RP - 380

Date Mailed: 02/02/2001

OATH/DECL. + FEES DUE: 4/2/01
OATH/DECL. + FEES FINAL DUE: 8/2/01

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1402.
 - \$972 for 54 total claims over 20.
 - \$160 for 2 independent claims over 3.
 - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2242.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **6D** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.


II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a

supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE